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JACOX, MECKSTROTH
& JENKINS

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Fax

To: *Office of Petitions
Commissioner for Patents*

From: Matthew R. Jenkins, Esq.

Fax: *571 273 8300*

Pages: *11, including cover sheet*

Re: *Application No: 10/631,179
NEI 010 P2*

Date: *June 9, 2006*

Petition for Revival (Unintentional)

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PTO/SB/21 (09-04)

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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/631,179
Filing Date	July 31, 2003
First Named Inventor	Joseph H. McCarthy, Jr.
Art Unit	2882
Examiner Name	Allen C. Ho
Attorney Docket Number	NC1010 P2


ENCLOSURES (Check all that apply)

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement

<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input checked="" type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
<input type="checkbox"/> Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____
<input type="checkbox"/> Landscape Table on CD

Remarks
Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137 (b) | <input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Return Postcard
Copies of Issue Fee Payment |
|--|---|---|

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	JACOX, MECKSTROTH & JENKINS		
Signature			
Printed name	Matthew R. Jenkins		
Date	6-9-06	Reg. No.	34,844

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	M. Belan	Date	June 9, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (01-06)

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2006☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

Application Number	10/631,179
Filing Date	July 31, 2003
First Named Inventor	Joseph H. McCarthy, Jr.
Examiner Name	Allen C. Ho
Art Unit	2882
Attorney Docket No.	NCI 010 P2

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 50-1287 Deposit Account Name: MATTHEW R. JENKINS

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

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FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity Fee (\$)
50	25
200	100
360	180

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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- 20 or HP =	x	=
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HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
---------------	--------------	----------	---------------

- 3 or HP =	x	=
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HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (c.g., late filing surcharge): Petition for Revival (Unintentional)

750.00

SUBMITTED BY

Signature

Registration No. 34,844
(Attorney/Agent)

Telephone 937/298-2811

Name (Print/Type) MATTHEW R. JENKINS

Date 6-9-06

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/64 (10-05)

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
NCI 010 P2

First named inventor: Joseph H. McCarthy, Jr.

Application No.: 10/631,179

Art Unit: 2882

Filed: July 31, 2003

Examiner: Allen C. Ho

Title: METHOD AND SYSTEM FOR COOLING HEAT-GENERATING
COMPONENT IN A CLOSED-LOOP SYSTEM

06/12/2006 BABRAHA1 00000073 10631179

01 FC:2453

750.00 DP

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Small entity-fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of _____ (identify type of reply):

- ☐ has been filed previously on _____
☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1,030.00

- ☒ has been paid previously on 11/08/05 (see copies enclosed)
☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/64 (07-05)
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 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. (NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

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Matthew R. Jenkins
 Signature

6-9-06
 Date

Matthew R. Jenkins
 Typed or printed name

34,844
 Registration Number, if applicable

2310 Far Hills Building
 Address

937-298-2811
 Telephone Number

Dayton, OH 45419
 Address

Enclosures: ☒ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☒ Other: copy of 11/8/05 issue fee payment

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

June 9, 2006
 Date

M. Belen
 Signature

M. Belen
 Typed or printed name of person signing certificate

[Page 2 of 2]

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JUN 09 2006

JACOX, MECKSTROTH & JENKINS
ATTORNEYS AT LAW
PATENT, TRADEMARK & COPYRIGHT MATTERS
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DAYTON, OHIO 45419-1575
E-MAIL: LAW@JMJ.BIZ

TELEPHONE
937/298-2911

FACSIMILE
937/298-7418

November 8, 2005

Mail Stop Issue Fee
Commissioner for Patents
P.O.Box 1450
Alexandria, VA 22313-1450

Certificate of Facsimile
I hereby certify that this correspondence is being facsimile
transmitted to the United States Patent and Trademark
Office at 571/273-2885 on

November 8, 2005 (date)

Barbara Huff
typed or printed name of person mailing paper or fee

Barbara Huff
Signature

Re: Serial No. : 10/631,179
Filed : July 3, 2003
Title : METHOD AND SYSTEM FOR COOLING HEAT-GENERATING
COMPONENT IN A CLOSED-LOOP SYSTEM
Inventor : Joseph H. McCarthy, Jr.
Docket : NCI 010 P2

Sir:

- ☒ Payment of Issue Fee by credit card. Form PTO-2038 is attached.
- ☒ Form PTOL 85 Issue Fee Transmittal is attached.
- ☒ The Commissioner is hereby authorized to charge any deficiency in the payment of the required fees or to credit any overpayment to Deposit Account No. 50-1287. (Should Deposit Account No. 50-01287 be deficient, please charge any further deficiencies to Deposit Account No. 10-0220).

Respectfully submitted,

JACOX, MECKSTROTH & JENKINS

By Matthew R. Jenkins
Matthew R. Jenkins, Reg. No. 34,844

Control NCI 010 P2

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2310 Far Hills Building
Dayton, Ohio 45419

**JACOX,
MECKSTROTH &
JENKINS**

Fax

To: U.S. Patent & Trademark Office
From: Matthew R. Jenkins, Esq.

Fax: 571/273-2885
Pages: 4 including cover

Phone:
Date: 11/8/2005

Re: Issue Fee for
Serial No. 10/631,179
Docket: NCI 010 P2

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

• **Comments:**

Enclosures:

Cover Letter;

PTOL 85 Issue Fee Transmittal,

PTO-2038 Credit Card Payment Form

Thank you.

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Last Transaction

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Identification</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
Nov 8	1:50pm	Fax Sent	15712732882--22	1:47	4	OK